

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TABITHA STOOPS, JAMES
STOOPS II, and JAMES STOOPS III, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JAMES DARRIN STOOPS,

Respondent-Appellant,

and

SHEILA MACHE,¹

Respondent.

UNPUBLISHED

March 1, 2005

No. 257220

Jackson Circuit Court

Family Division

LC No. 01-001923-NA

Before: Fort Hood, P.J., and Griffin and Donofrio, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating his parental rights to the minor children under MCL 712A.19b(3)(h), (j), and (n)(i). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in determining that at least one of the statutory grounds for termination of parental rights was established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence clearly showed that respondent-appellant was convicted of third-degree criminal sexual conduct, MCL 750.520d, and was sentenced in January 2004 to a minimum term of seven years, nine months. However, even before his incarceration, respondent-appellant failed to provide for the children and protect them from abuse by others. The evidence clearly showed that continuing the parent/child relationship would be harmful to the children, and subsection 19b(3)(n)(i) provided

¹ This party is referred to as Sheila Macke in the lower court record.

a proper ground for termination of respondent-appellant's parental rights. The children suffered numerous behavioral and emotional difficulties because of the violent, sexually inappropriate environment in which respondent-appellant had raised them, and two of the children suffered Post-Traumatic Stress Disorder.²

Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Although respondent-appellant argues that the only effect of terminating his parental rights is to deprive the children of any possible financial benefit from him, termination also has the effect of preventing respondent-appellant from exercising any parental decision-making rights over the children, impeding a possible stepparent adoption, or inheriting from his children. Moreover, as already noted, the evidence clearly showed that maintaining a parent/child relationship with respondent-appellant was harmful to the children.

Affirmed.

/s/ Karen M. Fort Hood
/s/ Richard Allen Griffin
/s/ Pat M. Donofrio

² Clear and convincing evidence need only be provided for one statutory basis for termination, and therefore, we need not address the remaining grounds for termination. *In re Powers Minors*, 244 Mich App 111, 118; 624 NW2d 472 (2000).